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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR RESPONSE
TO COURT'S REQUESTS FOR LIST
OF FACTS OCCURRING AFTER
COMMENCEMENT OF TRIAL
THAT UBER PLANS TO PRESENT
TO THE JURY (DKT 784, ¶ 1)**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Defendants' Administrative Motion to File Under Seal Portions of Their Response to
6 Court's Requests for List of Facts Occurring after Commencement of Trial that Uber Plans to
7 Present to the Jury (Dkt. 784, ¶ 1).

8 2. I have reviewed the following documents and confirmed that only the portions
9 identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Response to Court's Requests for List of Facts ("List of Facts")	Highlighted Portions	Plaintiff (green highlight) Defendants (blue highlight)

14 3. The green-highlighted portions on pages 8-9 of the List of Facts contain technical
15 information that has previously been designated by Waymo as either confidential or highly
16 confidential.

17 4. The blue-highlighted portions on page 14 of the List of Facts contain highly
18 confidential information regarding Uber's LiDAR development and business strategy. This
19 highly confidential information is not publicly known, and its confidentiality is strictly
20 maintained. I understand that this information could be used by competitors to Uber's detriment
21 to gain an advantage over Uber in LiDAR development and business strategy. For example,
22 disclosure of this information, which contains Uber's internal development timeline estimate,
23 would allow competitors to understand Uber's LiDAR development and business strategy, and
24 allow them to tailor their own LiDAR development and business strategy. If such information
25 were made public, I understand Uber's competitive standing could be significantly harmed.

26 5. Defendants' request to seal is narrowly tailored to the portions of the List of Facts
27 that merit sealing.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed this
2 10th day of July, 2017 in San Francisco, California.

3
4 /s/ Michelle Yang

Michelle Yang

5
6
7 **ATTESTATION OF E-FILED SIGNATURE**

8 I, Arturo J. González, am the ECF User whose ID and password are being used to file this
9 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has
10 concurred in this filing.

11 Dated: July 10, 2017

/s/ Arturo J. González

Arturo J. González